

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE

HOLIDAY DAVID B

DEBTOR(S).

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§

CASE NO. 00-60364-BP  
CHAPTER 7

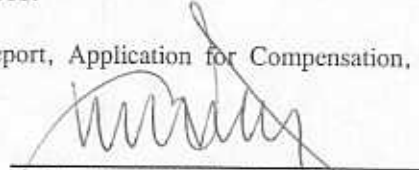
**TRUSTEE'S FINAL REPORT, APPLICATION FOR  
COMPENSATION, AND REPORT OF PROPOSED DISTRIBUTION**

Michael J. McNally, Trustee of the estate of the above-named Debtor(s), certifies to the Court and the United States Trustee, that the Trustee has faithfully and properly fulfilled the duties of the office of the Trustee, that the Trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The Trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed.R.Bankr.Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: December 23, 2004

  
\_\_\_\_\_  
Michael J. McNally, Trustee  
Texas Bar No. 13815700  
100 E Ferguson, Suite 400  
P.O. Box 1080 (75710)  
Tyler, TX 75702  
(903) 597-6301; Fax: (903) 597-6302  
CHAPTER 7 TRUSTEE

\*\*\*\*\*

**REVIEWED BY THE UNITED STATES TRUSTEE**

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

UNITED STATES TRUSTEE  
EASTERN DISTRICT OF TEXAS

Date: \_\_\_\_\_

By: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
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TYLER DIVISION

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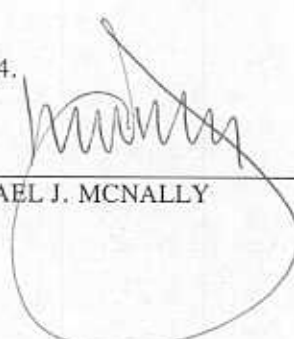
**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following Final Report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper, that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Form I as a summary of the assets and an estate record. Any property scheduled under 11 U.S.C. §521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. §554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of the estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowances or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and the case be closed.

I declare under penalty of perjury that this report and attached Schedules are true and correct to the best of my knowledge.

DATED: December 23, 2004.

  
\_\_\_\_\_  
MICHAEL J. MCNALLY

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1

Case No: 00-60364 BP Judge: BILL PARKER  
Case Name: HOLIDAY DAVID B

Trustee Name: MICHAEL J. MCNALLY  
Date Filed (f) or Converted (c): 06/18/03 (c)  
341(a) Meeting Date: 07/25/03  
Claims Bar Date: 12/15/03

For Period Ending: 12/16/04

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA) Gross Value of Remaining Assets
1. RESIDENCE - 1 acre, 2607 Shenandoah, Tyler, TX	47,900.00	0.00	DA	0.00	FA
2. CASH	20.00	0.00	DA	0.00	FA
3. FINANCIAL ACCOUNTS - Checking, Regions Bank	500.00	0.00	DA	0.00	FA
4. HOUSEHOLD GOODS - 3 bdrms, living & dining rm etc	1,000.00	0.00	DA	0.00	FA
5. BOOKS/COLLECTIBLES - Encyclopedia set	500.00	0.00	DA	0.00	FA
6. BOOKS/COLLECTIBLES - Professional books	3,000.00	0.00	DA	0.00	FA
7. WEARING APPAREL - Mens clothing	100.00	0.00	DA	0.00	FA
8. FURS AND JEWELRY - Gold watch & 2 rings	200.00	0.00	DA	0.00	FA
9. FIREARMS / HOBBY EQUIPMENT - Bowling ball & camera	50.00	0.00	DA	0.00	FA
10. RETIREMENT PLANS	175,000.00	0.00	DA	0.00	FA
11. VEHICLES - 1995 Nissan Maxima	1,250.00	0.00	DA	0.00	FA
12. VEHICLES - 1996 Dodge Ram	5,000.00	0.00	DA	0.00	FA
13. OFFICE EQUIPMENT	1,500.00	0.00	DA	0.00	FA
14. OTHER-Poss. postpet inheritance or trust interest (u)	Unknown	35,000.00	DA	35,000.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		17.87	FA

Gross Value of Remaining Assets

TOTALS (Excluding Unknown Values)

\$ 235,120.00

\$ 35,000.00

\$ 35,017.87

\$0.00

(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Debtor received an interest in property, which may be property of the estate, as a result of his mother's death in August 2003.  
The matter was litigated and settled in exchange for \$35,000 paid to estate.

Initial Projected Date of Final Report (TFR): 10/05/04

Current Projected Date of Final Report (TFR): 02/05/05

## FORM 2

Page: 1

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-60364 BP  
Case Name: HOLIDAY DAVID B

Trustee Name: MICHAEL J. MCNALLY  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9103 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*0206

For Period Ending: 12/16/04

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)
C 06/08/04		Lee Sammons Trust Acct 3301 Golden Rd No. 211 Tyler, Tx 75701	Pension - Retirement	1129-000	35,000.00	35,000.00
C 06/30/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.01	35,002.01
C 07/30/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.96	35,004.97
C 08/31/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.97	35,007.94
C 09/30/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.87	35,010.81
C 10/29/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.96	35,013.77
C 11/30/04	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	2.86	35,016.63
C 11/30/04		Transfer to Acct #*****9161	Bank Funds Transfer	9999-000		4,730.01
12/16/04	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	1.24	30,286.62
12/16/04		Transfer to Acct #*****9161	Final Posting Transfer	9999-000		30,287.86
						0.00

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-60364 BP  
Case Name: HOLIDAY DAVID B

Trustee Name: MICHAEL J. MCNALLY  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9103 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*0206

For Period Ending: 12/16/04

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)
						Account Balance (\$)

\* Reversed

1 Funds Transfer  
C Bank Cleared

Account *****9103	Balance Forward	0.00	0	Checks	0.00
	Deposits	35,000.00	0	Adjustments Out	0.00
	Interest Postings	17.87	2	Transfers Out	35,017.87
	Subtotal	\$ 35,017.87		Total	\$ 35,017.87
	Adjustments In	0.00			
	Transfers In	0.00			
	Total	\$ 35,017.87			

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-60364 BP  
Case Name: HOLIDAY DAVID B

Trustee Name: MICHAEL J. MCNALLY  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9161 BofA - Checking Account

Taxpayer ID No: \*\*\*\*\*0206

For Period Ending: 12/16/04

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)
C t 11/30/04		Transfer from Acct #*****9103	Bank Funds Transfer	9999-000	4,730.01	4,730.01
C 11/30/04	003001	MICHAEL J. MCNALLY MCNALLY & PATRICK, L.L.P. PO BOX 1080 TYLER, TX 75710-1080	Fees for Counsel of Chapter 7 Trust David Holiday - Case 00-60364	6110-000		324.51
C 11/30/04	003002	MICHAEL J. MCNALLY MCNALLY & PATRICK, L.L.P. PO BOX 1080 TYLER, TX 75710-1080	Expenses for Chapter 7 Trustee David Holiday - Case 00-60364	6120-000		324.51
t 12/16/04		Transfer from Acct #*****9103	Transfer In From MMA Account	9999-000	30,287.86	30,287.86

\* Reversed

t Funds Transfer  
C Bank Cleared

Account *****9161	Balance Forward	0.00	2	Checks	4,730.01
	Deposits	0.00	0	Adjustments Out	0.00
	Interest Postings	0.00	0	Transfers Out	0.00
	Subtotal	\$ 0.00		Total	\$ 4,730.01
	Adjustments In	0.00			
	Transfers In	35,017.87			
	Total	\$ 35,017.87			

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 00-60364 BP  
Case Name: HOLIDAY DAVID B

Trustee Name: MICHAEL J. MCNALLY  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9161 BofA - Checking Account

Taxpayer ID No: \*\*\*\*\*0206

For Period Ending: 12/16/04

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)
						Account Balance (\$)

Report Totals		Balance Forward	0.00			
1		Deposits	35,000.00	2	Checks	4,730.01
7		Interest Postings	17.87	0	Adjustments Out	0.00
		Subtotal	\$ 35,017.87	2	Transfers Out	35,017.87
				Total		\$ 39,747.88
0		Adjustments In	0.00			
2		Transfers In	35,017.87			
		Total	\$ 70,035.74		Net Total Balance	\$ 30,287.86

SCHEDULE A-1

FINAL ACCOUNT AS OF December 16, 2004

A. RECEIPTS

\$35,017.87

B. DISBURSEMENTS

(1) Secured Creditors	\$	0.00
(2) Administrative	\$	4,730.01
(3) Priority	\$	0.00
(4) Other	\$	0.00

TOTAL DISBURSEMENTS

\$4,730.01

CURRENT BALANCE

\$30,287.86

SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS (cases filed after 10/20/94)

Receipts	<u>\$35,017.87</u>	25% of first 5,000	<u>\$1,250.00</u>
Less	-5,000.00	(\$1,250 Maximum)	
Balance	<u>\$30,017.87</u>	10% of next 45,000	<u>\$3,001.79</u>
Less	-45,000.00	(\$4500.00 Maximum)	
Balance	<u>\$0.00</u>	5% of next 950,000	<u>\$0.00</u>
Less	-950,000.00	(\$47,500.00 Maximum)	
Balance	<u>\$0.00</u>	3% of balance	<u>\$0.00</u>
TOTAL COMMISSION			<u>\$4,251.79</u>
Less Previously Paid Commissions			<u>\$0.00</u>
TOTAL COMMISSIONS NOW REQUESTED			<u>\$4,251.79</u>

UNREIMBURSED EXPENSES

Copies	<u>\$25.00</u>
Postage	<u>\$5.55</u>
TOTAL UNREIMBURSED EXPENSES	<u>\$30.55</u>

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Records:

Trustee did not take possession of business or personal records of the debtor.

X

Notice of intent to abandon books and records of debtor filed on

\_\_\_\_\_

SCHEDULE C

EXPENSES OF ADMINISTRATION - CHAPTER 7

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$ _____	\$ _____	\$ _____	\$ _____
1. <u>11 U.S.C Sec. 507(a)(1)</u> <u>Court Costs and Fees</u>	0.00	0.00	0.00	0.00
2. <u>11 U.S.C. Sec. 503(b)(1)(a)</u> <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates Share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemize)	0.00	0.00	0.00	0.00
H. St. Order 94-1 Expenses	0.00	0.00	0.00	0.00
3. <u>11 U.S.C. Sec. 503(b)(2)</u> <u>Post-Petition Taxes and</u> <u>Related Penalties</u>	0.00	0.00	0.00	0.00
4. <u>11 U.S.C. Sec. 503(b)(2)</u> <u>Compensation and</u> <u>Reimbursement</u>				
A. Compensation of Trustee	4,251.79	4,251.79	0.00	4,251.79
B. Expenses of Trustee	30.55	30.55	0.00	30.55
C. Trustee Attorney Compensation	4,405.50	4,405.50	4,405.50	0.00
D. Trustee Attorney Expenses	324.51	324.51	324.51	0.00
E. Trustee Accountants Compensation	0.00	0.00	0.00	0.00
F. Trustee Accountant's Expense	0.00	0.00	0.00	0.00
5. <u>Court Special Charges</u> <u>(Excess Notices)</u>	0.00	0.00	0.00	0.00
6. <u>U.S. Trustee Fees</u>	0.00	0.00	0.00	0.00
7. <u>Other</u>				
A. Bond	0.00	0.00	0.00	0.00
B. Closing Costs	0.00	0.00	0.00	0.00
C. Other Ch 7 Administrative	0.00	0.00	0.00	0.00
<b>TOTALS:</b>	<u>9,012.35</u>	<u>9,012.35</u>	<u>4,730.01</u>	<u>4,282.34</u>

**EXHIBIT C**  
**EXPENSES OF ADMINISTRATION - CHAPTER 11**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. Administrative Chapter 11 Expenses	0.00	0.00	0.00	0.00
2. Trustee Compensation and Expenses (Chap 11)	0.00	0.00	0.00	0.00
3. Trustee Attorney (Chap 11)	0.00	0.00	0.00	0.00
4. Debtor(s) Attorney (Chap 11)	0.00	0.00	0.00	0.00
5. Trustee Accountant (Chap 11)	0.00	0.00	0.00	0.00
6. Debtor(s) Accountant (Chap 11)	0.00	0.00	0.00	0.00
7. Creditor's Accountant (Chap 11)	0.00	0.00	0.00	0.00
8. Other Chapter 11 Professionals	0.00	0.00	0.00	0.00
9. Chapter 11 United States Trustee Fees	0.00	0.00	0.00	0.00
10. Chapter 11 Court Costs	0.00	0.00	0.00	0.00
11. Chapter 11 Other	0.00	0.00	0.00	0.00
Ch 11 Trade Debt	0.00	0.00	0.00	0.00
Other Ch 11 Administrative	0.00	0.00	0.00	0.00
<b>TOTALS:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

EXHIBIT C  
REAL ESTATE EXPENSES

Expenses incurred in connection with the sale of real property \$0.00

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Title Insurance Policy	\$0.00
Escrow Fee	\$0.00
Realtor's Fees	\$0.00
Property Taxes	\$0.00
Filing and Other Closing Costs	\$0.00
TOTAL	<u>\$0.00</u>

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**SCHEDULE D**

**SECURED CLAIMS**

Claim  
No.

Amount  
Claimed

Amount Not  
Determined

Amount  
Allowed

Previously  
Paid

Due

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**IDENTIFICATION OF SECURED PARTIES AFFECTED:**

Claim  
No.

Name of Creditor

Claim  
No.

Name of Creditor

**SCHEDULE E**

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. For Credit extended Sec. 364(a)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of "adequate protection" Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Gain / Fish Deposits Sec. 507(a)(5)	0.00	0.00	0.00	0.00
7. Consumer deposits Sec. 507(a)(6)	0.00	0.00	0.00	0.00
8. Alimony/Child Support Sec. 507(a)(7)	0.00	0.00	0.00	0.00
9. Taxes Sec. 507(a)(8)	0.00	0.00	0.00	0.00
10. Insured Depository Institutions Sec. 507(a)(9)				
TOTALS:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

PRIORITY PARTIES AFFECTED:

Claim  
No.

Name of Creditor

Claim  
No.

Name of Creditor

FILED UNSECURED CLAIMS TOTAL: \$78,246.53

SUBORDINATE UNSECURED CLAIM: \$0.00

## TRUSTEE'S TIME AND EXPENSES

David B. Holiday - Case No. 00-60363 - MT391

### I Trustee Time\*

Fees:	Time
09/15/03 Draft and file request for issuance for of Bar Date.	.2 hr.
09/15/03 Correspondence to Assistant Trustee Timothy O'Neal requesting abatement of the prosecution of any 707(b) issue.	.2 hr.
09/22/03 Telephone conference with Lisa Lambert of U.S. Trustee's office to coordinate efforts and memo to file regarding the same.	.2 hr.
09/24/03 Receive and review Motion for Extension of U.S. Trustee's 707 Deadline; Telephone communication with Debtor's attorney to arrange for conference.	.2 hr.
09/30/03 Conference with debtor's attorney to discuss the case history, new issues and options for the debtor; Memo to file regarding the same.	1.2 hr.
10/22/03 Status review of file; Two telephone conferences with Lisa Lambert at U.S. Trustee's office to coordinate efforts; Telephone conference with Lee Sammons to discuss the status and arrange a debtor conference.	.5 hr.
10/24/03 Work on preparation of Trustee's Reports #1 & 3.	.4 hr.
12/22/03 Review status of file and bankruptcy case docket; Telephone conference with Lisa Lambert of U.S. Trustee's office regarding coordination of pleadings.	.3 hr.

12/23/03

Receive, review and consider implications of U. S. Trustee's Motion to Dismiss.

.3 hr.

01/07/04

Receive and review debtor's answer to Motion to Dismiss and telephone conference with Lisa Lambert regarding the same and coordination of efforts regarding the case.

.4 hr.

01/27/04

Telephone conference with Lee Sammons to negotiate for a possible resolution of the pending issues; Memo to file and correspondence to Lisa Lambert regarding the same.

.5 hr.

02/17/04

Review claims docket and Chapter 13 report; Confer with Lisa Lambert and Lee Sammons regarding debtor's latest offer.

.5 hr.

04/30/04

Status review of file and bankruptcy case docket; Prepare and submit Forms 1 & 3 to the U.S. Trustee.

.3 hr.

05/26/04

Telephone conference with Lee Sammons regarding status of the settlement funds and procedure for dealing with the same.

.1 hr.

06/03/04

Status review of file regarding probable need for fiduciary tax return; Correspondence to CPA Bob Peddy regarding the same.

.2 hr.

09/23/04

Preparation for and outside office conference with CPA Bob Peddy regarding the advisability and necessity of filing a federal income tax return for the estate; Memo to file regarding information received and recommendations made.

.5 hr.

10/15/04

Telephone and telefax communication with Lee Sammons confirming understanding with respect to income tax obligation.

.3 hr.

**Total Itemized Trustee Time****6.3 hr. \*\***

\* Time and expenses itemized do not include quick and routine matters such as review of bank deposits, reconciliation of bank statements, file status review, Pacer checks, review of various creditor pleadings and general attention to file.

**\*\* Additional Trustee time to be incurred:**

Evaluation of case for administration and disposition of assets;

Continuous monitor of case administration;

Preparation of disbursement checks to creditors and Trustee fees and expenses;

Preparation of dividend letter to creditors;

Review additional bank statements;

Preparation of additional Form 1' and 2's as necessary;

Preparation of Trustee's Supplemental Final Report.

**II****Trustee Expenses**

01/28/04 Postage	.37
09/28/04 Postage	.37
11/03/04 Copies (90 @.25)	22.50
11/03/04 Postage (Future)	1.48
12/15/04 Postage	3.33
12/15/04 Copies	2.50

**Totals:**

Postage \$5.55

Copies \$25.00

**Total Expenses Claimed \$30.55**

\* Additional expenses will be incurred in connection with the preparation of filing and mailing of

the Trustee's Final Report, the dividend checks and the Trustee Final Report and Account.

### III

Trustee Expenses for Clerical, Bookkeeping and Legal Assistant time.

<b>Total Claimed</b>	<b><u>\$0.00</u></b>
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UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE  
HOLIDAY DAVID B

DEBTOR(S).

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CASE NO. 00-60364-BP  
CHAPTER 7

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

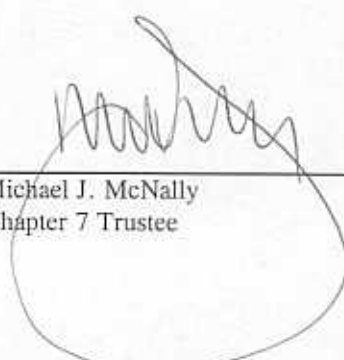
The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered Orders which have become final, and which dispose of all Objections to Claims, all objections to the Trustee's Final Report, all Applications for Compensation, and all other matters that must be determined by the Court before final distribution can be made.
2. The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

1.	BALANCE ON HAND		\$30,287.86
2.	ADMINISTRATIVE EXPENSES TO BE PAID *(NOTE)	\$4,282.34	
3.	SECURED CLAIMS TO BE PAID *(NOTE)	\$0.00	
4.	PRIORITY CLAIMS TO BE PAID *(NOTE)	\$0.00	
5.	UNSECURED CLAIMS TO BE PAID *(NOTE)	\$26,005.52	
6.	OTHER DISTRIBUTIONS TO BE PAID *(NOTE)	\$0.00	
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$30,287.86
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)		\$0.00

\*(SEE ATTACHED SCHEDULE OF PAYEES AND  
AMOUNTS)

Date: 12/23/04

  
\_\_\_\_\_  
Michael J. McNally  
Chapter 7 Trustee

# Receipts and Disbursements PROPOSED DISTRIBUTION

Case Number: 00-60364 BP  
Debtor Name: HOLIDAY DAVID B

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Date: December 16, 2004

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$30,287.86
<b>Claim Type -</b>								
	MICHAEL J. MCNALLY COMPENSATION	Admin		\$4,251.79 * \$4,251.79	\$0.00	\$4,251.79	\$4,251.79	\$26,036.07
				Percent Paid: 100.00000 %				
	MICHAEL J. MCNALLY EXPENSES	Admin		\$30.55 * \$30.55	\$0.00	\$30.55	\$30.55	\$26,005.52
				Percent Paid: 100.00000 %				
	MICHAEL J. MCNALLY PRIOR CHAPTER COMPENSATION	Admin		\$0.00 * \$0.00	\$0.00	\$0.00	\$0.00	\$26,005.52
	MICHAEL J. MCNALLY PRIOR CHAPTER EXPENSES	Admin		\$0.00 * \$0.00	\$0.00	\$0.00	\$0.00	\$26,005.52
<b>Subtotal For Claim Type</b>				\$4,282.34 * \$4,282.34	\$0.00	\$4,282.34	\$4,282.34	
<b>Claim Type 3110-00 - Attorney for Trustee Fees</b>								
	MICHAEL J. MCNALLY MCNALLY & PATRICK, L.L.P. PO BOX 1080 TYLER, TX 75710-1080	Admin	001	\$4,730.01 * \$4,730.01	\$4,730.01	\$0.00	\$0.00	\$26,005.52
				Percent Paid: 100.00000 %				
<b>Subtotal For Claim Type 3110-00</b>				\$4,730.01 * \$4,730.01	\$4,730.01	\$0.00	\$0.00	
<b>Subtotals For Class Administrative 100.00000 %</b>				\$9,012.35 * \$9,012.35	\$4,730.01	\$4,282.34	\$4,282.34	
<b>Claim Type 7100-00 - General Unsecured 726(a)(2)</b>								
000012B	Internal Revenue Service 1100 Commerce St., Rm 9A20 Stop 5029 DAL Dallas, TX 75242	Priority	070	\$1,256.98 * \$1,256.98	\$0.00	\$1,256.98	\$1,256.98	\$24,748.54
				Percent Paid: 100.00000 %				
<b>Subtotal For Claim Type 7100-00</b>				\$1,256.98 * \$1,256.98	\$0.00	\$1,256.98	\$1,256.98	

# Receipts and Disbursements

## PROPOSED DISTRIBUTION

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Date: December 16, 2004

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Subtotals For Class Priority		100.00000 %		\$1,256.98 * \$1,256.98	\$0.00	\$1,256.98	\$1,256.98	
<b>Claim Type 7100-00 - General Unsecured 726(a)(2)</b>								
000002	Texas Farm Bureau VISA Gold MC Farm Bureau Bank p. O. Box 33427 San Antonio, TX 782653427	Unsec	070	\$1,937.41 * \$1,937.41	\$0.00	\$1,937.41	\$622.79	\$24,125.75
				Percent Paid: 32.14549 %				
000006	eCast Settlement Corporation P. O. Box 35480 Newark, NJ 07193-5480	Unsec	070	\$5,302.71 * \$5,302.71	\$0.00	\$5,302.71	\$1,704.57	\$22,421.18
				Percent Paid: 32.14526 %				
000009	Max Recovery, Inc. PO Box 10228 Newark, NJ 07193-0228	Unsec	070	\$6,799.46 * \$6,799.46	\$0.00	\$6,799.46	\$2,185.71	\$20,235.47
				Percent Paid: 32.14535 %				
000010	Max Recovery, Inc. PO Box 10228 Newark, NJ 07193-0228	Unsec	070	\$7,884.11 * \$7,884.11	\$0.00	\$7,884.11	\$2,534.37	\$17,701.10
				Percent Paid: 32.14529 %				
000012A	Internal Revenue Service 1100 Commerce St., Rm 9A20 Stop 5029 DAL Dallas, TX 75242	Unsec	070	\$194.82 * \$194.82	\$0.00	\$194.82	\$62.63	\$17,638.47
				Percent Paid: 32.14762 %				
000014	Customized Auto Credit Services, Inc. c/o Alan B. Padfield, Attorney 1155 Burnett Plaza 801 Cherry St., Unit 20 Fort Worth, TX 76102	Unsec	070	\$11,088.12 * \$11,088.12	\$0.00	\$11,088.12	\$3,564.31	\$14,074.16
				Percent Paid: 32.14531 %				
000015	Deborah J. Race Attorney at Law 6101 south Broadway, Suite 500 Tyler, TX 75703	Unsec	070	\$10,240.96 * \$10,240.96	\$0.00	\$10,240.96	\$3,291.99	\$10,782.17
				Percent Paid: 32.14533 %				

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Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
<b>Claim Type 7100-00 - General Unsecured 726(a)(2)</b>								
000016	Ireland, Carroll & Kelley, P.C. 6101 S. Broadway, Suite 500 Tyler, TX 75703	Unsec	070	\$33,541.96 * \$33,541.96	\$0.00	\$33,541.96	\$10,782.17	\$0.00
				Percent Paid: 32.14532 %				
<b>Subtotal For Claim Type 7100-00</b>				\$76,989.55 * \$76,989.55	\$0.00	\$76,989.55	\$24,748.54	
<b>Subtotals For Class Unsecured</b>				32.14532 % \$76,989.55 * \$76,989.55	\$0.00	\$76,989.55	\$24,748.54	
<b>&lt;&lt; Totals &gt;&gt;</b>				\$87,258.88 \$87,258.88	\$4,730.01	\$82,528.87	\$30,287.86	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.